

**CITY OF WEST LINN  
PRE-APPLICATION CONFERENCE MEETING  
SUMMARY NOTES  
SEPTEMBER 1, 2022**

**SUBJECT:** Food Cart Pod, Brewpub, Hotel (potential conversion of existing apartments), and street vacation

**FILE:** PA-22-25

**ATTENDEES:** Applicant: Graham Peterson, Ryan Smith, Connor Macleod  
Staff: John Floyd (Planning), Lynn Schroder (Planning); Benjamin Gardner (Planning); Maryna Asuncion (Engineering)  
Public: N/A

*The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.*

**Site Information**

Site Address: 4985/4999 Willamette Falls Dr. & 5009-5030 Broadway  
Tax Lot No.: 22E30CD06100, 22E30CD06200, 22E30CD06300, 22E30CD06400, and possibly 22E30CD06500 and Public Right of Way  
Site Area: Approximately 32,416 SF per Clackamas County Assessor  
Neighborhood: Bolton Neighborhood Association  
Comp. Plan: Commercial  
Zoning: General Commercial (GC)  
Zoning Overlays: Willamette Greenway Area  
Applicable CDC Chapters: Chapter 19: General Commercial, GC  
Chapter 42: Clear Vision Areas  
Chapter 46: Off-Street Parking, Loading, and Reservoir Areas  
Chapter 48: Access, Egress and Circulation  
Chapter 54: Landscaping  
Chapter 55: Design Review  
Chapter 66: Non-Conforming Structures  
Chapter 96: Street Improvements  
Chapter 99: Procedures for Decision Making: Quasi-Judicial

**Project Site:**

Relevant details of the project site include the following observations based on the application materials and subsequent correspondence, West Linn GIS, historical records, and a site visit by planning staff on August 29, 2022. A survey of existing conditions was not provided by the applicant.

- The project site consists of multiple tax lots, bisected by an alley right of way, and makes up a contiguous block bounded by Willamette Falls Drive, West A Street, I-205, and Broadway Street.
- The property is currently developed with a mixture of buildings including a two-story mixed-use building with commercial office space on the ground floor (the majority of which appears to be used for storage) and apartments on the second story, a three-story apartment building, a cell tower with associated ground equipment, unmarked parking (some paved, some gravel/dirt), and the open storage of a waste and recycling containers.
- The date of the buildings is unknown as of this meeting, but the commercial building appears in the 1968 aerial photograph, and the adjoining apartments appear on the 1988 aerial photograph. Based upon other historical

photos on file, the apartments may have been relocated from across the street during I-205 construction, but that is conjecture based upon limited evidence.

- There are significant grade changes on the property, resulting in steep slopes in portions of the parking lot and open space at the intersection of Broadway and Willamette Falls Drive. This includes the area of the site proposed for food carts and an outdoor patio.
- Above ground infrastructure related to a NW Natural Gas Pipeline was observed in the NE portion of the project site, near the intersection of I-205 and Broadway.
- Portland Gas & Coke Co. is listed as the owner of approximately 83 square feet of land where a proposed outdoor patio is proposed.

### **Proposed Project:**

Based upon the initial application materials and subsequent email correspondence, staff understands the project to include the following:

- Addition of four food carts in the existing parking area on 22E30CD06100.
- Construction of an outdoor patio within the landscaped area at the intersection of Broadway Street and Willamette Falls Drive. This would include use of public right of way and potentially land owned by Portland Gas & Coke Co.
- Change of use of the existing commercial building to include the following:
  - Brewpub with approximately 1,500-2,000 SF of restaurant/taproom area and an unknown amount of production area
  - Remainder of groundfloor is as yet unprogrammed, with approximately 6,000 to 6,500 square feet remaining (applicant to commission as-builts to verify). Concepts to include commissary/catering kitchen, creative office space, food hall.
  - Retention of 13 apartments or conversion to a boutique hotel (similar to Jupiter or Campfire Bend)
- Vacation of the 20-foot wide, mid-block alley.

### **Staff Observations and Process Requirements:**

- Food carts are permitted in the General Commercial zone, subject to city rules linked below.
  - <https://westlinnoregon.gov/planning/are-food-carts-allowed-west-linn>
  - Please note that staff has concern about the slope in the area of the proposed carts as it may create a hazard and accessibility issues.
  - Utility hookups for water, sewer, and electric will be required for food carts on-site longer than 5 hours. Please see Engineering and Building Departments for additional details.
- Hotels, brewpubs, other eating and drinking establishments are allowed uses in the GC zone. Multi-family development is restricted to second stories and above, when commercial is on the ground floor, therefore the existing apartment building appears to be a non-conforming use.
- The existing mixed-use structure may be located partially in the Broadway Street right-of-way per West Linn GIS, therefore modification of the structure may require approval from the Planning Commission to alter a nonconforming structure per CDC 66.080. Alteration is defined in CDC 02 as a change in construction or occupancy. A survey of existing conditions and proposed modifications would allow city staff to provide better guidance.
- Alteration and/or enlargement of the existing buildings will require Class I or Class II Design Review, depending upon the scope of work. See CDC 55.020 for the thresholds of review and design standards applicable to commercial development.
- Parking Requirements will be modified starting January 1<sup>st</sup>, 2023 under recently adopted State rules.
  - Regardless of the timing of the application, all parking, driveway, and drive aisles will be subject to dimensional standards set forth in CDC Chapters 46 (Off-Street Parking) and 48 (Access, Egress, and Circulation).
  - Applications received on or before December 31, 2022 shall comply with minimum parking space requirements in CDC Chapter 46, inclusive of parking reductions for proximity to transit and availability of on-street parking. These include:

- Multifamily – 1.5 spaces for every two bedroom unit and 1.25 spaces for every one bedroom unit (19 spaces required given current unit counts)
- Eating and Drinking Establishment – one space for every 100 square feet of floor area (15-20 spaces given stated square footage of brewpub)
- Hotel – One space per guest room.
- Applications Received on or after January 1, 2023 are expected to be exempt from minimum parking requirements per OAR-660-12-0012(5)(e) and 660-12-0440(3)(c), though dimensional standards will still apply for any parking provided. Note that the City is still confirming the applicability of this rule within the city, and implementation of this rule may be further amended by the state or delayed by court challenges.
- A Trip Generation letter or Traffic Impact Analysis may be required, depending upon the mixture of uses, per CDC 55.125 and by reference CDC 85.170(B)(2).
- The site is nonconforming with landscaping requirements in CDC 46 and 54.
- Vacation of the alley right of way would be governed by ORS 271. Staff recommends this be processed under a separate application due to the difference in review procedures. Applicants are responsible for providing the required survey and legal description of the area to be vacated.

**Discussion:**

Topics of conversation included the following:

- A phased development of the site, including a limited and minimal refresh of the site to get new tenants into the building through window changes and paint. Note that window changes in a commercial structure require a building permit.
- ODOT condemnation of land and a construction easement related to I-205 improvements.
- Required approvals for window changes.
- Thresholds for nonconforming review, including what is considered alteration (a change in occupancy or construction). See underlined comments on page 2.
- Requirements and potential options for utility upgrades and extensions

**Building:**

For building code and ADA questions, please contact Adam Bernert at [abernert@westlinnoregon.gov](mailto:abernert@westlinnoregon.gov) or 503-742-6054 or Alisha Bloomfield at [abloomfield@westlinnoregon.gov](mailto:abloomfield@westlinnoregon.gov) or 503-742-6053.

**Engineering:**

Please see attached comments from West Linn Engineering.

**Tualatin Valley Fire & Rescue:**

Please contact Jason Arn at [jason.arn@tvfr.com](mailto:jason.arn@tvfr.com) or 503-259-1510 with any questions. Note that a **Service Provider Permit** must be presented with the application in order for the application to be deemed complete.

<https://www.tvfr.com/399/Service-Provider-Permit>

**Process:**

For the proposal, address the submittal requirements and standards for decision making in the Community Development Code (CDC) chapters in the compliance narrative, plans, and other submittal requirements:

- Chapter 19: General Commercial, GC
- Chapter 42: Clear Vision Areas
- Chapter 46: Off-Street Parking, Loading, and Reservoir Areas
- Chapter 48: Access, Egress and Circulation
- Chapter 54: Landscaping
- Chapter 55: Design Review
- Chapter 66: Non-Conforming Structures
- Chapter 96: Street Improvements

- Chapter 99: Procedures for Decision Making: Quasi-Judicial

**Compliance Narrative:**

When preparing the compliance narrative, N/A is not an acceptable response to the approval criteria. The submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Manager and must identify the specific grounds for that waiver.

**Fees:**

The current fee schedule is linked below, with planning fees beginning on page 21. Please contact staff once your project is more refined and developed, and we can assist you in identifying the required review processes and fees. A sample of possible fees is below:

- Class I Design Review: \$2,100 (Fee)
- Class II Design Review: 4% of construction value (Deposit)
- Alteration of Non-Conforming Structure or Use: \$3,000 (Fee)
- Street Vacation: \$6,000

**Timelines:**

Once the application and deposit/fee are submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided. Once complete, the City has 120 days from the date of completeness to make a final decision on the application.

***Typical land use applications can take 6-10 months from beginning to end.***

**DISCLAIMER:** This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application ***or provide any assurance of potential outcomes.*** Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required. Any changes to the CDC standards may require a different design or submittal.



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## Pre-app Comments

**Project Number: PA-22-25  
Commercial Building  
5011 & 5030 Broadway St.**

### Engineering Contact:

Maryna Asuncion, EIT  
masuncion@westlinnoregon.gov  
Telephone: (503) 722-3436

**Project Description:** Installation of a brewery and food cart pod with permanent infrastructure, tap house, with outside deck and patio.

**Pre-application meeting date:** September 1, 2022

The comments provided below are based upon material provided as part of the pre-application packet and are intended to identify potential design challenges associated with the development. Comments are not intended to be exhaustive and do not preclude the engineering department from making additional comments as part of the formal land use application process.

### TRANSPORTATION

#### Minimum Required Improvement:

- **Broadway Street improvement:**
  - Broadway Street is categorized as a neighborhood route street per the City of West Linn *Transportation System Plan*.
  - Existing right-of-way is improved and approximately 60 feet wide.
  - Broadway St. overpass shall be demo'd with ODOT I-205 project in construction.
  - Please confirm existing sidewalk meets City's sidewalk standards and ADA standards. If it does not, reconstruct frontage to meet City standards for neighborhood route streets. Protect existing fire hydrants and other infrastructure in right-of-way.
- **West A Street is categorized as a collector street per the City of West Linn *Transportation System Plan*.**
  - Existing right-of-way is improved and approximately 60 feet wide.
  - There is a future roundabout tentatively planned for the intersection of Broadway St and West A St, but there is no confirmed timeline for this project yet.
  - Please confirm existing sidewalk meets City's sidewalk standards and ADA standards. If it does not, reconstruct frontage to meet City standards for collector streets. Protect existing fire hydrants and other infrastructure in right-of-way.
- **Willamette Falls Drive is categorized as a minor arterial street per the City of West Linn *Transportation System Plan*.**
  - Existing right-of-way is improved and approximately 120 feet wide.
  - Please confirm existing sidewalk meets City's sidewalk standards and ADA standards. If it does not, reconstruct frontage to meet City standards for minor arterial streets. Protect existing fire hydrants and other infrastructure in right-of-way.



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masuncion@westlinnoregon.gov  
Telephone: (503) 722-3436

- Street trees: coordinate with the Park Department to install appropriate number and type of tree, as applicable:
  - Parks Contact: Ron Jones  
[rjones@westlinnoregon.gov](mailto:rjones@westlinnoregon.gov)  
503-722-4728
- Review CDC Chapter 85 and Section 5 of the *City of West Linn Public Works Standards* to determine whether a Traffic Impact Analysis (TIA) is required. If applicable, Applicant should set up a meeting with West Linn Engineering and ODOT to determine the required elements of the TIA and the level of analyses expected.

### SANITARY SEWER

#### Minimum Required Improvement:

- Applicant should confirm how existing apartments are connected to the public sewer system. A new lateral will likely be required to serve new infrastructure.
- There is an 24" PVC sanitary sewer main in Willamette Drive and an existing 6" PVC lateral to the existing building at 5011 Broadway.
- The sanitary sewer main in Willamette Drive will need to be extended, at the Applicant's expense, to accommodate new sanitary laterals for the proposed food cart pod and any future proposed infrastructure. The proposed utility plan will need to be reviewed by the City during the public improvement and building permit processes.
- Per West Linn Municipal Code Section 4.005(1), all facilities containing sinks or any device for receiving sewage and/or waste water shall be connected to the City sanitary sewer system. Per the City's Interpretation made by the Planning Director, see attached, sites hosting one or more food truck (aka Mobile Food Unit) for more than 5 hours in a calendar day (midnight to midnight) must provide an RV-style hookup to sewer and water utilities. No exceptions to this rule will be made.

### DOMESTIC WATER

#### Minimum Required Improvement:

- There is an existing 20" DI water main in Willamette Falls Drive.
- There is an existing 2" galvanized water main in Broadway Street. An existing 5/8" meter connects the existing apartments at 5030 Broadway St. This main may require upgrades to meet current City Standards if it is affected in any way by this project.
- There is an existing 8" CI water main in West A St.
- One of the two existing meter boxes can be used for the new development, but the meter size may need to be upgraded. This will be confirmed during the building permit and site development review process.



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masuncion@westlinnoregon.gov  
Telephone: (503) 722-3436

### **SURFACE WATER (STORM SEWER)**

#### **Minimum Required Improvement:**

- Onsite run-off generated from new impervious areas of greater than 1,000 square feet must be captured, treated, detained and conveyed to the nearest public stormwater system in accordance with the *Portland Stormwater Management Manual*, the Uniform Plumbing Code, and *City of West Linn Public Works Standards*. Submittal of a Stormwater Report prepared by a licensed engineer is required for review by the City.
- Stormwater facilities installed to capture, treat, detain and convey stormwater from the private improvements shall be privately owned and maintained.

### **OTHER**

- The proposed development will disturb less than 1 acre, therefore a West Linn Erosion Control Permit Application, as outlined in Section 2.0065 of the *City of West Linn Public Works Standards*, will be required prior to the commencement of construction.
- All utilities, such as electrical, telephone, and television cable, that may at times be above ground or overhead shall be buried underground in the case of new developments frontage exceeding 200 feet. The development is exempt if its frontage is less than 200 feet and the site is less than 1 acre. High voltage transmission lines as classified by PGE or other electrical service provider would also be exempt.
- Development shall pay all applicable System Development Charges prior to issuance of building permits.
- Existing building at 4985 Willamette Falls Drive (proposed Brewpup location) may be intruding into the public right-of-way. An Encroachment Agreement may be required to continue operations of the building with its existing footprint.
- Applicant requests for sidewalk café seating and/or patios built in the right-of-way are reviewed by the City on a case-by-case basis and may require new easements and/or encroachment permits for approval.



# CITY OF West Linn

## Memorandum

Date: September 9, 2021

To: Community Development Department Staff

From: Darren Wyss, Planning Manager

Subject: Guidelines for Mobile Food Units in West Linn

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### Authority

The City of West Linn (COWL) Community Development Code (CDC) vests the Planning Director with the initial authority and responsibility to interpret all terms, provisions, and requirements of this code and to develop guidelines to aid in their implementation (CDC 01.060).

### Issue

Food carts and trucks, legally defined as “mobile food units” by the State of Oregon, have become an established part of the regional food economy and national food culture. Initially limited to mobile vendors such as ice cream trucks, their presence has significantly expanded across the metro area and now includes a broad range of mobile food units (MFU) operating as stand-alone businesses or as part of a larger assembly of carts known locally as “pods.”

As is the case in most cities and counties, the COWL CDC does not specifically address mobile food units, neither allowing nor prohibiting them. The exclusion of specific land use code regulations does not appear to be deliberate, but rather an unanticipated land use activity when the code was written. In addition, these types of businesses have typically been regulated by state and county agencies as vehicles rather than land uses. The topic is now pressing as several property owners, and MFU operators have approached the City about how and where they may operate in the City.

### Definition of Mobile Food Unit

The state defines an MFU as any self-propelled vehicle that can be pulled or pushed down a sidewalk, street, highway, or waterway. Food may be prepared or processed on this vehicle, and



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the vehicle is used to sell and dispense food to the ultimate consumer. An MFU must be secured and protected from contamination when not in operation. An MFU has no size limit, but they must meet the following requirements to comply with Oregon Health Authority requirements:

- **Wheels:** Mobile units must be mobile at all times during operation. The unit must be on wheels that are functional and appropriate for the type of unit at all times.
- **Designed in One Piece:** Mobile food units must be designed and constructed to move as a single piece.
- **Integral:** The unit and all operations and equipment must be integral to the unit. This does not preclude using one outdoor cooking unit such as a BBQ.
- **Seating:** Operators may provide seating for customers if a readily accessible restroom and sufficient refuse containers with lids or covers are provided. The restroom must have a handwashing facility that provides hot and cold running water.
- **Water and Sewer Capacity:** Potable water tanks must be accessible and translucent to determine their cleanliness and cleaned at least every 6 months. The tanks must accommodate the amount of water needed for the unit's operation, including at least 30 gallons for dishwashing, 5 gallons for handwashing, and additional gallonage needed for food preparation and cleaning.
- **The waste tank must be a minimum of 15 percent greater than the freshwater tank.** A mobile food unit may connect to water and sewer if available at the operating location. If the unit cannot connect directly to the sewer, then the unit may not connect to the public water system. For carts not connected to the wastewater system, disposal occurs through regular trips to a dump station (similar to RVs) or regular pumping and disposal by a DEQ licensed service.

### State and Local Regulations

All MFUs are subject to Oregon Food Sanitation Rules and must be licensed by the local Environmental Health Department before operation. These rules are similar to those required of restaurants and cover food handling issues, water supply sourcing, wastewater disposal, toilet availability, and the conditions under which seating may be provided. All operators must be licensed through **Clackamas County Public Health** or other applicable County health departments, depending upon where the MFU overnights.

In addition to licensing through the county, MFUs must comply with COWL CDC and Municipal Code (MC) requirements. The CDC places MFUs within the broad category of "eating and drinking establishments" as defined below, given the similarity of activities and impacts. Therefore, MFUs may be allowed in the same zoning districts and subject to the same standards as restaurants, bars, and coffee shops.



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*Eating and drinking establishments. Establishments or places of business that are not drive-through restaurants and primarily engage in the sale of prepared or produced food and beverages for on-premises consumption, on-premises sale, or take out service. On-premises sales do not include sales to secondary retailers or wholesalers. Typical uses include, but are not limited to: fast food establishments, restaurants, delicatessens, brew-pubs, coffee shops, taverns, bars and lounges.*

Other than general standards applicable to the parking or servicing of vehicles, the operation of eating and drinking establishments, and general development standards (e.g., business license, parking and circulation standards, signage, etc.), the CDC and MC have no other specific regulations regarding the time, place, and manner of MFU operation.

### Interpretation

In recognition of their status as licensed vehicles, MFUs meeting the following criteria are exempted from Design Review and development standards applicable to buildings and permitted to operate within the city. MFUs providing drive-through service or not meeting the following criteria are subject to development standards and design review.

#### Design:

- Must be licensed by Clackamas County Public Health as a mobile food unit.
- Must meet the State definition for a trailer or vehicle (ORS 801.560 and 590).
- Must remain mobile and the wheels attached at all times.
- Any canopies, awnings, or other attachments must be entirely supported by the cart and not touch the ground.
- One pop-up, fabric-covered canopy is allowed per food cart. The canopy must:
  - Adjoin the food cart;
  - Be under 200 square feet in size;
  - Have a fabric cover free of text/advertisement;
  - Be safely anchored and secured; and
  - Be fully collapsed outside of business hours.

#### Location:

- Must be located on private property in one of the following Zoning Districts:
  - General Commercial (GC)
  - Office Business Center (OBC)
  - Campus Industrial (CI)
- Must be parked on a hard surface such as concrete, asphalt, or pavers.



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- Must not occupy or obstruct a required parking space for another existing use as required in CDC 46 (Off-Street Parking).
- Must not obstruct or otherwise make unsafe any areas designed for pedestrian or vehicular movement to, from, or through the property on which the cart is located.
- Sites hosting one or more MFU for more than 5 hours in a calendar day (midnight to midnight) must provide an RV style sewer, water, and electrical hookup in compliance with COWL MC 4.005 (Use of Public Sewers Required).

## Operation:

- MFU operators must obtain a West Linn Business License.
- Due to the potential for traffic impacts, MFU providing drive-through restaurant service as defined in CDC 02.030 are subject to design review.



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## PRE-APPLICATION CONFERENCE

Thursday, September 1, 2022

City Hall Willamette Room & Webex\*  
22500 Salamo Road

10:00 am: **Proposed Design Review**  
Applicant: **Ryan Smith**  
Property Address: **5011 & 5030 Broadway Street**  
Neighborhood Assn: **Bolton Neighborhood Association**  
Planner: **John Floyd**

Project #: PA-22-25



\*Pre-application conferences will be conducted in a hybrid format, with some staff and participants attending remotely via Webex and others attending in-person at City Hall.



West Linn

Planning & Development • 22500 Salamo Rd #1000 • West Linn, Oregon 97068  
Telephone 503.742.6060 • westlinnoregon.gov

### PRE-APPLICATION CONFERENCE

THIS SECTION FOR STAFF COMPLETION		
CONFERENCE DATE:	2/11/20	TIME: 10:00
PROJECT #:	22-25	
STAFF CONTACT:	Floyd	FEE: 1000

Pre-application conferences are held on the first and third Thursdays of the month between 9:00 am and 1:00 pm. Appointments must be made by 5:00 pm, 15 days before the meeting date. The applicant has a choice of an in-person or virtual meeting. To schedule a conference, submit this form, a site plan, and accompanying materials through the [Submit a Land Use Application](#) web page. The City will contact you to collect payment. Pre-application notes are valid for 18 months.

Address of Subject Property (or map/tax lot): 5011 & 5030 Broadway St.  
Description of Proposal: Installation of Brewery & food cart pod with permanent infrastructure, tap house with outside deck & patio.

Applicant's Name: Ryan Smith  
Mailing Address: 503 7th St #208  
Phone No: 503-880-9138 Email Address: flying.ryan.smith@gmail.com

Please attach a site plan on 11 x 17 inches paper depicting the following items:

- > North arrow
- > Scale
- > Property dimensions
- > Conceptual layout, design, and/or building elevations
- > Streets abutting the property
- > Access to and from the site
- > Location of existing utilities (water, sewer, etc.)
- > Location of all easements (access, utility, etc)
- > Location of existing trees (a tree survey is highly recommended)
- > Location of creeks and/or wetlands (a wetland delineation is highly recommended)

Please list any questions or issues that you would like the planner to address: Is this a change in occupancy + what does that trigger? Questions about street vacations. Possible ROW permit for proposed patio.

By my signature below, I grant city staff the right of entry onto the subject property to prepare for the pre-application conference.

Property owner's signature (REQUIRED): Ryan Smith Date: 2-10-2022

## Floyd, John

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**From:** Graham Petersor [REDACTED]  
**Sent:** Monday, August 22, 2022 10:49 AM  
**To:** Floyd, John  
**Cc:** Frank Jalili; Conor Macleod; Ryan Smith; Gardner, Benjamin; Schroder, Lynn  
**Subject:** Re: Pre-App Materials

John,

The final concept is in development and may change based on how the preapp goes but below is some feedback to your questions.

Some additional thoughts for you:

-Water Meter upgrade costs 1", 1 1/4 and 1 1/2"

-SDCs, We assume we will have a baseline of credits so let's determine that baseline. If you have a SDC estimator and/or a fee table that would be helpful.

-With all the upcoming changes to the master plan, zoning, code, and traffic circulation, it would seem that we need to acknowledge the respective near future changes. And, both the land use in-take on the city's part and the proposed site and building improvements on our part, should be driven by that vs the current zoning, site, code.

-Required spacing on food Carts per the fire marshal. We have seen 3-6ft cart separation and 5-10ft from buildings depending on the municipality

- Please confirm this will be a brewpub and not a production brewery. Fairly certain we discussed a brewpub, but need to confirm. **Limited to no production**
- Proposed square footage of the brewery/brewpub. Please breakdown by brewing area versus non-brewing area if known. **For non-production we are expecting 1,500-2000 sqft Gross**
- If the brewpub is not taking over the entirety of the building, what is the remaining square footage and what is the anticipated/remaining use? **Concepts include (commissary/catering kitchen, Creative office, potential food hall)**
- Are the existing apartments remaining? If so, how many apartments are there and how many bedrooms per unit.

Yes, General plan is to buy out the current master lease, cosmetically upgrade, and Re-tenant with a different tenant type -currently (8) 2bd/1bth and (5) 1bd/1bth.

Alternatively, convert to a "boutique hipster" 13 Unit Hotel (think Jupiter hotel or Campfire Bend)

- Will the proposed patio be open or covered?

Open at this point, though we will explore partial covered

- Will there be any associated eating or queuing areas for the food carts? We're assuming the high schoolers won't be taking their meals into the brewery. [Likely patio, covered patio, and/or interior dining hall.](#)

On Wed, Aug 17, 2022 at 7:03 PM Ryan Smith <[REDACTED]> wrote:

Sent from my iPhone

Begin forwarded message:

**From:** "Floyd, John" <[JFloyd@westlinnoregon.gov](mailto:JFloyd@westlinnoregon.gov)>  
**Date:** August 17, 2022 at 5:13:01 PM PDT  
**To:** [REDACTED]  
**Cc:** "Gardner, Benjamin" <[BGardner@westlinnoregon.gov](mailto:BGardner@westlinnoregon.gov)>, "Schroder, Lynn" <[LSchroder@westlinnoregon.gov](mailto:LSchroder@westlinnoregon.gov)>  
**Subject:** Pre-App Materials

Hi Ryan,

Thanks for coming in today. We've done a cursory review of your application and there's some critical information we need to make this a more meaningful pre-app. Restated, without more project specific information the best we can do is point to the relevant chapters and speak to your project in the abstract. To that end, can you provide the following by Monday?

- Please confirm this will be a brewpub and not a production brewery. Fairly certain we discussed a brewpub, but need to confirm.
- Proposed square footage of the brewery/brewpub. Please breakdown by brewing area versus non-brewing area if known.
- If the brewpub is not taking over the entirety of the building, what is the remaining square footage and what is the anticipated/remaining use?
- Are the existing apartments remaining? If so, how many apartments are there and how many bedrooms per unit.
- Will the proposed patio be open or covered?
- Will there be any associated eating or queuing areas for the food carts? We're assuming the high schoolers won't be taking their meals into the brewery.

I can tell you offhand we are concerned about your ability to meet parking requirements and having additional information about your project will help us evaluate the range of options for addressing the potential deficiency. Hopefully the property owner and the plans prepared by Emerio Design can help you pull this together. Feel free to give me a call if you want to discuss further. My direct line is [REDACTED]

Thanks,

John

**John Floyd**  
*Associate Planner*  
Planning  
Pronouns: he, him, his

22500 Salamo Rd.  
West Linn, Oregon 97068  
[jfloyd@westlinnoregon.gov](mailto:jfloyd@westlinnoregon.gov)  
[westlinnoregon.gov](http://westlinnoregon.gov)  
503-742-6058



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--

Graham Cole Peterson  
Principal Broker  
Commercial Real Estate  
Current Listings:  
<http://www.loopnet.com/profile/20665212580/Graham-Cole-Peterson/listingslink>

Windermere Community Commercial

Portland Office:  
2105 NE 39th Ave, Suite 200  
Portland, OR 97212

Clackamas County Office:  
1209 7th Street  
Oregon City, OR 97045



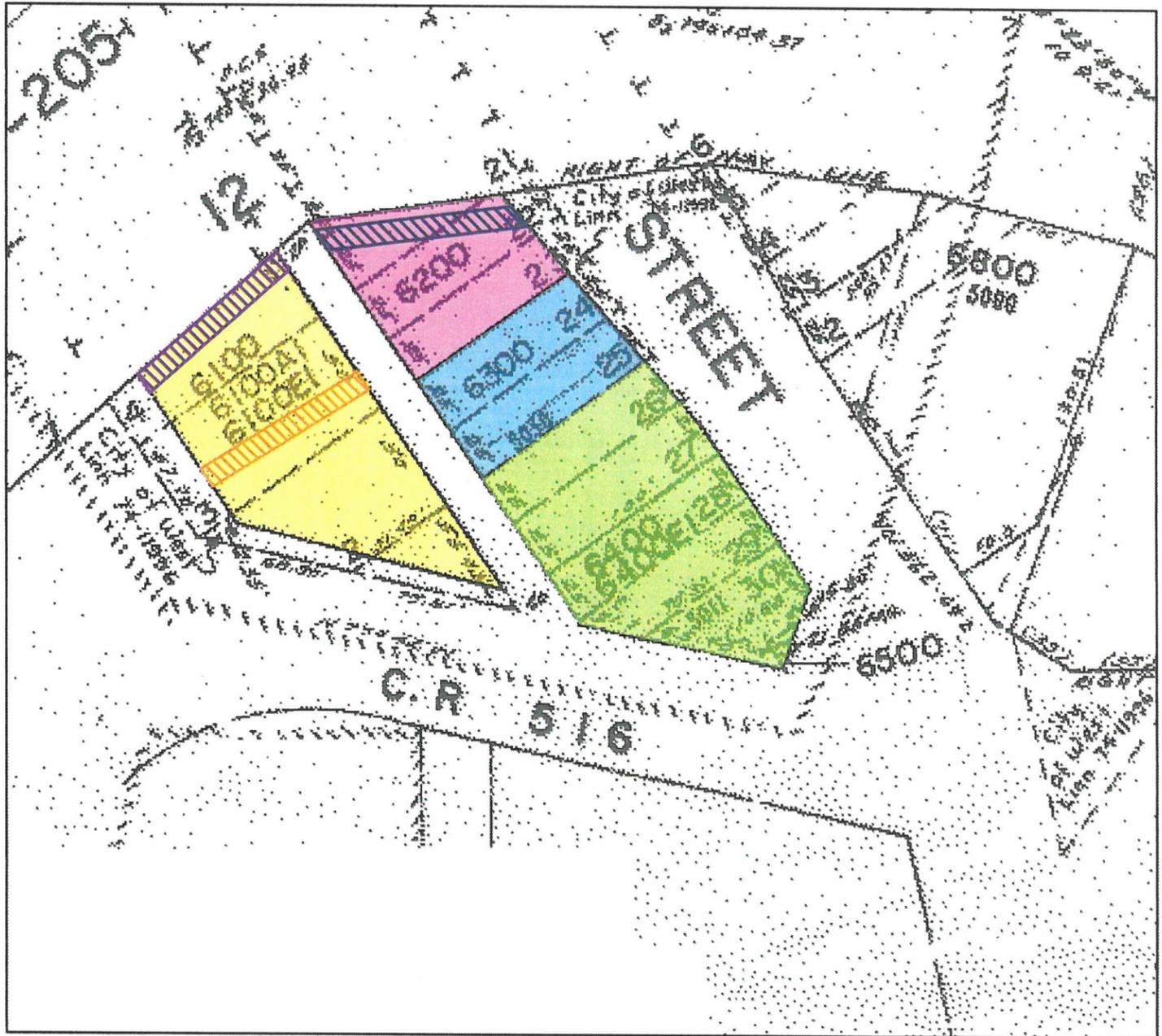
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<https://www.oregon.gov/rea/licensing/Documents/Initial-Agency-Disclosure-Pamphlet.pdf>

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Scale 1 inch = 55.59 ft



**Legend**

- PARCEL I - Property In Question, Fee
- PARCEL II - Property In Question, Fee
- PARCEL III - Property In Question, Fee
- PARCEL IV - Property In Question, Fee
- Item No. 9 - Easement for Telecommunication Facilities  
In 03/14/2005 Inst # 2005-021844 of Official Records  
The exact location of the easement cannot be determined and is not plottable
- Item No. 10 - Easement for Gas Line  
In 07/01/1968 # 68-012280 of Official Records  
Affects said portion as described in the document
- Item No. 12 - Easement for Gas Line  
In 07/25/1968 # 68-013972 of Official Records  
Affects said portion as described in the document
- Item No. 13 - Easement for Gas Line  
In 06/15/1999 # 99-060831 of Official Records  
Affects said portion as described in the document

©2021  
**Fidelity National Title - Oregon**  
 900 SW 5th Avenue,  
 Portland, OR 97204

Title Order No. : 45142209697, Preliminary Report dated, July 18, 2022

Drawing Date : 07/26/2022

Reference :

Assessor's Parcel No. : 22E30CD-06100,06200,06300 & 06400

Property : 5011 and 5030 Broadway Street, West Linn, OR 97068-3368

Data :

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

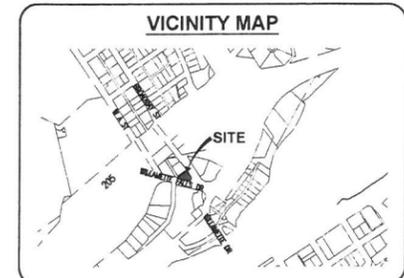
Plat Showing : Portions of Land Situated in the County of Clackamas, State of Oregon

Sheet  
1 of 1

Archive #

# COMMERCIAL TENANT IMPROVEMENT

TAX MAP 22E30CD06400  
CITY OF WEST LINN, OREGON



**SCHEDULE OF DRAWINGS:**

○ NO CHANGE THIS SHEET  
● NEW OR REVISED SHEET

Sheet	Sheet Title	DATE	ISSUED FOR
C1	COVER SHEET & SITE PLAN		PERMITTING
CS1	CODE SUMMARY & FIRE LIFE SAFETY		
D1.0	DEMOLITION FLOOR PLAN		
D2.0	PROPOSED FLOOR PLAN		
D2.1	INTERIOR ELEVATIONS AND WALL DTLs		
D3.0	PROPOSED CEILING PLAN		
D3.1	PROPOSED HVAC PLATFORM FRAMING		

**SITE DATA**

SITE AREA:	0.85 Ac.
ZONING:	IND
TAX MAP:	151W14
TAX LOT:	25815

**PROJECT CONTACTS**

<b>OWNER:</b> DEWITT MONTGOMERY (503) 583-3717	<b>DESIGN PROFESSIONAL:</b> EMERIO DESIGN, LLC 6445 SW FALLBROOK PL. SUITE 100 BEAVERTON, OR 97008 (503) 746-8812 CONTACT: GEOFF WRIGHT
<b>CONTRACTOR:</b> T.B.D.	<b>TENANT:</b> T.B.D.

**SUMMARY OF WORK**

INTERIOR TENANT IMPROVEMENT OF EXISTING WILLAMETTE BUILDING. NO EXTERIOR WALLS OR WINDOWS WILL BE REVISED OR CHANGED. NO STRUCTURAL CHANGES WILL BE MADE TO THE EXISTING BUILDING.

1 SITE PLAN  
C1 SCALE: 1" = 20'

COMMERCIAL TENANT IMPROVEMENT  
5019 BROADWAY ST.  
WEST LINN, OREGON

COVER SHEET  
&  
SITE PLAN

REV	DATE	DESCRIPTION

**EMERIO Design**  
6445 SW FALLBROOK PL. SUITE 100  
BEAVERTON, OREGON 97008  
TEL: (503) 746-8812  
FAX: (503) 639-9582  
www.emeriodesign.com



SHEET  
**C1**

7th Edition: P.1300-137 2012 Broadway Street [Area] - CT - Cover, Layout: C1, Plot Date: 8/11/2017 11:09 AM, Plotted By: geoff.wright

**From:** [Graham Peterson](#)  
**To:** [Floyd, John](#)  
**Cc:** [Frank Jalili](#); [Conor Macleod](#); [Ryan Smith](#); [Gardner, Benjamin](#); [Schroder, Lynn](#)  
**Subject:** Re: Pre-App Materials  
**Date:** Monday, August 22, 2022 6:33:39 PM

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John,

Estimated at 6,000-6,500 sqft but we will need to get new as-built plans made up to verify.

On Mon, Aug 22, 2022 at 11:49 AM Floyd, John <[JFloyd@westlinnoregon.gov](mailto:JFloyd@westlinnoregon.gov)> wrote:

Hi Graham,

Thanks for the additional information and list of questions, should make for a for a more productive meeting. Any chance your team can provide a total square footage for the remaining non-residential portion of the building? I did a quick search of our files and didn't find a layout or square footage, probably due to the age of the buildings. If not certain, your best approximation would still be helpful.

Thanks!

John

**From:** Graham Peterson [mailto:[grahamcolepeterson@gmail.com](mailto:grahamcolepeterson@gmail.com)]  
**Sent:** Monday, August 22, 2022 10:49 AM  
**To:** Floyd, John <[JFloyd@westlinnoregon.gov](mailto:JFloyd@westlinnoregon.gov)>  
**Cc:** Frank Jalili <[fjalili@fortisre.com](mailto:fjalili@fortisre.com)>; Conor Macleod <[holdfastbuild@gmail.com](mailto:holdfastbuild@gmail.com)>; Ryan Smith <[flying.ryansmith@gmail.com](mailto:flying.ryansmith@gmail.com)>; Gardner, Benjamin <[BGardner@westlinnoregon.gov](mailto:BGardner@westlinnoregon.gov)>; Schroder, Lynn <[LSchroder@westlinnoregon.gov](mailto:LSchroder@westlinnoregon.gov)>  
**Subject:** Re: Pre-App Materials

John,

The final concept is in development and may change based on how the preapp goes but below is some feedback to your questions.

Some additional thoughts for you:

-Water Meter upgrade costs 1", 1 1/4 and 1 1/2"

-SDCs, We assume we will have a baseline of credits so let's determine that baseline. If you have a SDC estimator and/or a fee table that would be helpful.

-With all the upcoming changes to the master plan, zoning, code, and traffic circulation, it would seem that we need to acknowledge the respective near future changes. And, both the land use in-take on the city's part and the proposed site and building improvements on our part, should be driven by that vs the current zoning, site, code.

-Required spacing on food Carts per the fire marshal. We have seen 3-6ft cart separation and 5-10ft from buildings depending on the municipality

- Please confirm this will be a brewpub and not a production brewery. Fairly certain we discussed a brewpub, but need to confirm. **Limited to no production**
- Proposed square footage of the brewery/brewpub. **Please breakdown by brewing area versus non-brewing area if known.** For non-production we are expecting 1,500-2000 sqft Gross
- **If the brewpub is not taking over the entirety of the building, what is the remaining square footage** and what is the anticipated/remaining use? Concepts include (commissary/catering kitchen, Creative office, potential food hall)
- Are the existing apartments remaining? If so, how many apartments are there and how many bedrooms per unit.

Yes, General plan is to buy out the current master lease, cosmetically upgrade, and Re-tenant with a different tenant type -currently (8) 2bd/1bth and (5) 1bd/1bth.

Alternatively, convert to a "boutique hipster" 13 Unit Hotel (think Jupiter hotel or Campfire Bend)

- Will the proposed patio be open or covered?

Open at this point, though we will explore partial covered

- Will there be any associated eating or queuing areas for the food carts? We're assuming the high schoolers won't be taking their meals into the brewery. **Likely patio, covered patio, and/or interior dining hall.**

On Wed, Aug 17, 2022 at 7:03 PM Ryan Smith <[flying.ryansmith@gmail.com](mailto:flying.ryansmith@gmail.com)> wrote:

Sent from my iPhone

Begin forwarded message:

**From:** "Floyd, John" <[JFloyd@westlinnoregon.gov](mailto:JFloyd@westlinnoregon.gov)>  
**Date:** August 17, 2022 at 5:13:01 PM PDT  
**To:** [flying.ryansmith@gmail.com](mailto:flying.ryansmith@gmail.com)  
**Cc:** "Gardner, Benjamin" <[BGardner@westlinnoregon.gov](mailto:BGardner@westlinnoregon.gov)>, "Schroder, Lynn" <[LSchroder@westlinnoregon.gov](mailto:LSchroder@westlinnoregon.gov)>  
**Subject:** Pre-App Materials

Hi Ryan,

Thanks for coming in today. We've done a cursory review of your application and there's some critical information we need to make this a more meaningful pre-app. Restated, without more project specific information the best we can do is point to the relevant chapters and speak to your project in the abstract. To that end, can you provide the following by Monday?

- Please confirm this will be a brewpub and not a production brewery. Fairly certain we discussed a brewpub, but need to confirm.
- Proposed square footage of the brewery/brewpub. Please breakdown by brewing area versus non-brewing area if known.
- If the brewpub is not taking over the entirety of the building, what is the remaining square footage and what is the anticipated/remaining use?
- Are the existing apartments remaining? If so, how many apartments are there and how many bedrooms per unit.
- Will the proposed patio be open or covered?
- Will there be any associated eating or queuing areas for the food carts? We're assuming the high schoolers won't be taking their meals into the brewery.

I can tell you offhand we are concerned about your ability to meet parking requirements and having additional information about your project will help us evaluate the range of options for addressing the potential deficiency. Hopefully the property owner and the plans prepared by Emerio Design can help you pull this together. Feel free to give me a call if you want to discuss further. My direct line is 503-742-6058.

Thanks,

John

**John Floyd**

*Associate Planner*

Planning

Pronouns: he, him, his

22500 Salamo Rd.

West Linn, Oregon 97068

[jfloyd@westlinnoregon.gov](mailto:jfloyd@westlinnoregon.gov)

[westlinnoregon.gov](http://westlinnoregon.gov)

503-742-6058



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Oregon City, OR 97045

Mobile 503.319.4267  
Fax 503.249.1726  
[GrahamColePeterson@gmail.com](mailto:GrahamColePeterson@gmail.com)

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**John Floyd**

*Associate Planner*

Planning

Pronouns: he, him, his

22500 Salamo Rd.  
West Linn, Oregon 97068  
[jfloyd@westlinnoregon.gov](mailto:jfloyd@westlinnoregon.gov)  
[westlinnoregon.gov](http://westlinnoregon.gov)

503-742-6058



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Mobile 503.319.4267  
Fax 503.249.1726  
[GrahamColePeterson@gmail.com](mailto:GrahamColePeterson@gmail.com)

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